

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36105

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|------------------------|---|----------------------------------|
| STATE OF IDAHO, |) | 2009 Unpublished Opinion No. 705 |
| |) | |
| Plaintiff-Respondent, |) | Filed: December 1, 2009 |
| |) | |
| v. |) | Stephen W. Kenyon, Clerk |
| |) | |
| JERRY ALVIN DEAN, JR., |) | THIS IS AN UNPUBLISHED |
| |) | OPINION AND SHALL NOT |
| Defendant-Appellant. |) | BE CITED AS AUTHORITY |
| |) | |

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Patrick H. Owen, District Judge.

Judgment of conviction and unified sentence of twelve years, with a minimum period of confinement of four years, for possession of methamphetamine with a persistent violator enhancement, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, GRATTON, Judge
and MELANSON, Judge

PER CURIAM

Jerry Alvin Dean, Jr. was convicted of possession of methamphetamine with a persistent violator enhancement, Idaho Code §§ 37-2732(c), 19-2514. The district court imposed a unified sentence of twelve years, with a minimum period of confinement of four years. Dean appeals, contending that the sentence is excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Dean's judgment of conviction and sentence are affirmed.